

Annex

Statement by the Permanent Representative of the Republic of
Tajikistan to the United Nations, Ambassador L. K. Kayumov,
at the second forum on Tajikistan held in Washington on
13 December 1993

It is both a pleasure and a great honour for me to speak before you and to share with you my thoughts on the situation in my country, where significant events are under way and new trends are emerging in political, social and economic life and legislative activities. These are profoundly influencing the destiny of the courageous and hard-working Tajik people, with their rich history and culture. All hopes are pinned, first and foremost, on the wisdom of the Tajik people, who support the main principles of the report by the Secretary-General of the United Nations entitled "An Agenda for Peace" (A/47/277-S/24111), in which protection of human rights is defined as a vital element of peace, security and economic prosperity and emphasis is placed on the importance of preventive diplomacy.

Today, at this forum devoted to Tajikistan, the central issue will be the promotion of human rights and fundamental freedoms. I wish to take this opportunity to inform you that the Head of State and Chairman of the Supreme Council of Tajikistan, His Excellency Mr. Emomali Rakhmonov, conveyed a personal message to the Secretary-General of the United Nations, His Excellency Mr. Boutros Boutros-Ghali, on the occasion of the forty-fifth anniversary of the Universal Declaration of Human Rights. I would ask that the text of this letter be transmitted to the Chairman of our forum and circulated as an official document.

Nevertheless, I consider it my professional duty to draw your attention to the words of the Head of State of Tajikistan warning that, during the fratricidal civil war in our country, "the most basic human right - the right to life - was threatened". He goes on to observe that the Parliament of Tajikistan has ratified the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. I can add that, on the eve of Human Rights Day, on 7 December 1993, my country adhered to the Geneva Convention of 28 July 1951 and the New York Protocol of 1967 relating to the status of refugees.

On the subject of human rights, the leader of Tajikistan stresses that the international community now faces the task of establishing a mechanism for monitoring the observance of human rights and that in this connection Tajikistan supports the efforts of the United Nations, the Conference on Security and Cooperation in Europe (CSCE) and other international organizations and intends to participate actively in that process.

This undertaking requires extremely serious and careful attention, based primarily on the principles of non-selectivity, objectivity and impartiality and the recognition that the Tajik people have their own interests and corresponding specific national characteristics. As Mr. Rakhmonov says in his letter addressed to the Secretary-General of the United Nations, "We by no means

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consider that we have exhausted all the possibilities for guaranteeing human rights and freedoms in Tajikistan. He goes on to reaffirm his hope for assistance from the United Nations and the Centre for Human Rights.

The policy of adopting decisions in a peaceful manner, through a process of negotiations, discussions and deliberations, as well as political and diplomatic initiatives, is undoubtedly the right path and one which we are endeavouring to follow: this is our policy, one in which reason prevails. Once again, I wish to ask you all to take into consideration the historical aspects, the cultural and religious traditions and the political, social and economic situation of Tajikistan, a country whose political structures have only just started to take shape. In recent months new parties have come into being: the People's Party of Tajikistan, the Economic and Political Renewal Party and the Free Labour Party.

It is self-evident that the restoration of multi-party democracy and respect for fundamental human rights do not automatically mean that we have solved all our problems.

In order to restore the democratic process and law and order in the country, the population of Tajikistan and its legitimate Government have had to make great sacrifices.

We would like to know that we can count on your support at this decisive and difficult stage, which should lead to the substantial improvement of social and economic conditions in Tajikistan, where a policy of national reconciliation will be implemented and rights and freedoms will flourish.

We recognize that peace is invaluable and that its attainment necessitates dialogue and reconciliation, without which the process of transition cannot lead to stable democracy.

We shall make use of the immense possibilities available to us today to build a new Tajikistan, the Tajikistan for which so many generations of my ancient nation have yearned.

In our path there lie many obstacles and unknown dangers. The task of overcoming them with the fewest possible costs, errors and losses is one of supreme importance, a task which history itself has set before my nation.

We are fully aware that we are at a very painful stage of development and we know what we must do if we are to pull through it. The leaders of Tajikistan are filled with determination to carry out democratic transformations in the country, to accept and respect each person's choice of world-view, religion, ideology and politics, as the inalienable right of the individual. We are ready to enter into dialogue with all the social forces in the country in order to achieve national reconciliation, civil concord and stability in Tajikistan. In short, we are in favour of constructive cooperation with forces of any political orientation which respect universally accepted standards of democracy. Our position was reaffirmed in the strongest terms by the Head of State and Chairman of the Supreme Council of Tajikistan, Mr. Emomali Rakhmonov, in his statement on 30 September 1993 at the forty-eighth session of the General Assembly of the

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United Nations, as well as in his statement on 24 October in Dushanbe, during the activities held in the Republic to mark United Nations Day.

"We shall hold constructive dialogue with all opposition parties and movements who are ready to cooperate with the country's leaders for the attainment of civic accord, peace, the reconstruction and development of the economy and the recovery of Tajikistan from its severe economic crisis." With these words Mr. Abdumajid Dostiev, First Vice-Chairman of the Supreme Council of Tajikistan closed the first session of the Parliamentary Commission for Cooperation with Public Organizations on 30 November 1993 in Dushanbe. The Commission intends to cooperate more closely with public associations both inside and outside Tajikistan.

Working groups with broad mandates have been set up to tackle these issues. They have been authorized by the Government to hold talks with representatives of the opposition both in the countries of the Commonwealth of Independent States and in other foreign countries, to conduct explanatory work among Tajik refugees outside Tajikistan and to facilitate their return home. In Moscow there is a Working Commission of the Supreme Council responsible for organizing meetings and negotiations with representatives of the opposition and with citizens of Tajikistan living in the Russian Federation. Mr. Dostiev, as Chairman of the Commission, will personally participate in the negotiations. The Vice-Chairman of the Supreme Council of Tajikistan, has stated: "We will not overlook the Russian-speaking population, for whom Tajikistan has been home for many long years. We will do everything necessary for their return to Tajikistan."

I would like to take this opportunity to inform other participants in the forum that, in close consultation with leading foreign specialists, we have effectively concluded work on drafting the new constitution of Tajikistan and an electoral bill, the relevant articles of which have been drafted directly in line with the fundamental principles of the Final Act of the Helsinki Conference and the Charter of Paris. These drafts, which have been submitted for expert appraisal to the Centre for Human Rights in Geneva, naturally take due account of the specific characteristics of Tajikistan itself and the experience of other countries. The Chairman of the Council of Ministers of Tajikistan, His Excellency Mr. Abdumalik Abdulajanov, says that the main objective is to create a flourishing society and economy by strengthening national independence, sovereignty, human rights and democracy. He also stresses that we wish to build a society in which people would enjoy a decent standard of living and their civil, political, social, economic, cultural and religious rights would be safeguarded.

As you can see, Tajikistan's leaders, notwithstanding the enormous pressure of political, social and economic problems, are holding fast to their chosen course of constructing a truly democratic and secular State based on the rule of law. In early November 1993, Mr. Rakhmonov, in his capacity as a citizen and people's deputy of Tajikistan, appealed to the Supreme Court of Tajikistan to show clemency to the poet Bozor Sobir, whose personal exhortations, in conjunction with the efforts of his pseudo-democratic confederates, had helped cause the outbreak of civil war, asking the Court, as far as possible, to devise some form of punishment for him which did not involve actual detention. On

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5 November, the judicial authorities also released from custody another defendant, Ms. O. Bobonazarova, one of the opposition activists.

With the support of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the authorities of the Islamic Republic of Afghanistan, every possible effort is being made to encourage the voluntary return from Afghanistan of the tens of thousands of Tajik refugees who have ended up there as a result of the fratricidal war in Tajikistan.

In accordance with international law on the status of refugees, the Tajik authorities are making every possible effort to ensure the return from Afghanistan of all refugees. Approximately 90 per cent have come home during the last two months. The most rigorous administrative and judicial proceedings will be instituted against any officials who fail to implement the government programme for the social and economic support of returnees. The primary concern will be to ensure their safety and to provide them with minimum living conditions.

I must inform you that the plight of thousands of Tajik refugees has become desperate. More than 10,000 returnees living in the Kumsangir, Bakhtar and other districts of the south of Tajikistan are homeless and have been accommodated in unheated club-houses, mosques and tents.

There are also extremely acute problems with food. In contrast to their fellow villagers, the returnees do not have subsidiary farm plots and the local food shops are completely empty.

Because of the lack of the necessary resources, implementation of the government programme to issue lump-sum grants of 200,000 roubles per family is extremely slow. In addition, to date one third of the able-bodied refugees are still without work and are receiving no unemployment benefit. We are grateful to the international community, to donor countries, and above all to the Clinton administration and non-governmental organizations in the United States of America, for the humanitarian and emergency assistance they have provided for the population of Tajikistan afflicted by the civil war.

To our great regret, there are still instances of the harassment of returnees and looting by armed bands which are not under the control of the Government: in a period of three months 20 returnees have been killed and a number of people are missing.

But this is only part of the overall, very complex, highly mobile and extremely contradictory picture of developments. Another aspect, and one which is extremely disturbing, can be seen in the attempts to introduce a regional dimension into the Tajik conflict, which still continues in a number of districts along the Tajik-Afghan frontier. In 1993, Russian frontier guards were forced into armed confrontations with violators on more than 250 occasions, in which 31 frontier guards lost their lives and approximately 40 were wounded. I appeal to the leaders of the opposition: the time has come to renounce their military plans and to respond to the appeal of the legitimate authorities of Tajikistan, to take their place at the negotiating table and to resolve all problems through peaceful and political means. To that end, they must, first

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and foremost, accept the results of the sixteenth session of the Supreme Council of the Republic of Tajikistan. It was precisely the systematic violations of the sovereignty and territorial integrity of Tajikistan, the repeated breaching of its frontier by illegal armed formations, trained by foreign instructors in the territory of an adjacent State, and the growing number of casualties among its military servicemen and civilian population which prompted the head of State to send a letter to the Chairman of the Security Council requesting him to convene a meeting of the Council to consider the alarming situation and the adoption of the necessary decision.

The normalization of the situation on the Tajik-Afghan frontier and the stabilization of conditions in Tajikistan are interlinked and interdependent processes. It is hardly necessary, in such an august forum, to point out that the continuation of armed clashes on our frontier with Afghanistan, which we regard as the external frontier of the States of the Commonwealth of Independent States, could seriously endanger peace and security throughout the Central Asian region. In response to the conditions that had developed, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan signed an agreement on the establishment, in the territory of my country, of collective peace-keeping forces, and this decision was officially conveyed by the Ministers for Foreign Affairs of the five States to the Secretary-General of the United Nations, Mr. Boutros-Ghali, in their joint letter of 30 September 1993 (S/26610, annex).

In Tajikistan the collective peace-keeping forces are rightly perceived as a barrier preventing incendiary sparks from the continuing bloody civil war in neighbouring Afghanistan from carrying across our southern frontier, and they are particularly welcomed as a form of protection against acts of armed terrorism. From the bottom of our hearts, we wish peace, tranquillity and well-being for the friendly people of Afghanistan. Our only objective is to preserve the territorial integrity and unity of the multi-ethnic State of Tajikistan.

The steps taken by the five States represent a satisfactory and perfectly adjusted response to the dangerous turn which events have taken. They are fully consistent with the provisions of the Treaty on Collective Security of the countries of the Commonwealth of Independent States and with the conditions established by bilateral agreements with Tajikistan; they are in line with the relevant decisions of the Security Council and with the steps taken by the Secretary-General of the United Nations to support the stabilization of the situation in Tajikistan. They are also in full conformity with the preventive diplomacy approaches described by the Secretary-General of the United Nations in his report, "An Agenda for Peace". We regard the formation of collective peace-keeping forces as a regional arrangement consistent with the purposes and principles of Chapter VIII of the Charter of the United Nations, and as a major contribution by the five States to the process of bringing peace and stability to the region.

The defence of our southern frontier is a joint strategy of these five States of the Commonwealth of Independent States, and the collective peace-keeping forces constitute the decisive factor in joint efforts to overcome the crisis on the Tajik-Afghan frontier. Furthermore, I am deeply convinced that

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the collective peace-keeping forces are entirely capable of playing a unique role as a kind of catalyst, creating vital preconditions for the delineation of a new security policy for the entire Central Asian region.

Tajikistan is open to bilateral and multilateral cooperation with all States of the region, with the aim of halting the bloodshed and opening constructive dialogue, primarily by neutralizing the attempts of the Tajik armed opposition to resolve the crisis through a military victory and by adopting an agreement on a cease-fire to be monitored by United Nations military observers. As people of conscience, we condemn and categorically oppose all those who use foreign arms, from the territory of a foreign State, against their own people.

We hope that the establishment of collective peace-keeping forces will receive moral, political and other forms of support from the international community as an effective and long-term strategy which will lead to a general improvement in the situation by de-escalating the conflict and bringing nearer a comprehensive political settlement.

The Tajik people will remain eternally grateful to the courageous soldiers and officers of the peace-keeping forces, who are performing a noble role in maintaining peace and security in the region. I should emphasize that those States which are closest to the Tajik conflict have a deeper understanding of the essence of our problems.

Tajikistan's experience demonstrates that the practical approach to the settlement of the conflict which is most likely to succeed is that represented by the peaceful initiatives being prepared and implemented in the region and supported by regional and international organizations.

We are sincerely moved by the deep sympathy and the good will demonstrated by those countries which have been contributing to the process of ensuring the welfare of the Tajik people since the very beginning of our conflict.

My country and my people are grateful to all those who are continuing their endeavours to ensure that all the citizens of Tajikistan live in conditions of peace, stability and civil concord. I wish you all every success in your work and convey my best wishes on the great holiday of Christmas.
